

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re )  
 ) Bankruptcy No.: **10-40297-EDJ**  
 ) R.S. No.: **SPS-81**  
**DOYLE D. HEATON and** ) Hearing Date: **March 26, 2010**  
**MARY K. HEATON,** ) Time: **10:00 a.m.**  
 )  
\_\_\_\_\_ )

Relief From Stay Cover Sheet

Instructions: Complete caption and Section A for all motions. Complete Section B for mobile homes, motor vehicles, and personal property. Complete Section C for real property. Utilize Section C as necessary. If moving party is not a secured creditor, briefly summarize the nature of the motion in Section D.

- (A) Date Petition filed: **1/11/10** Chapter: **11**  
Prior hearings on this obligation: Last Date to File §523/§727  
**n/a** Complaints: **4/9/10**
- (B) Description of personal property collateral:  
Secured Creditor [ ] or lesser [ ]  
Fair market value \$ \_\_\_\_\_ Source of value: \_\_\_\_\_  
Contract Balance: \$ \_\_\_\_\_ Pre-Petition Default: \$ \_\_\_\_\_  
Monthly Payment: \$ \_\_\_\_\_ No. of months: \_\_\_\_\_  
Insurance Advance: \$ \_\_\_\_\_ Post-Petition Default: \$ \_\_\_\_\_  
No. of months: \_\_\_\_\_

- (C) Description of real property collateral: **n/a**

Fair Market Value: **\$n/a** Source of Value: **n/a**  
If appraisal, date: **n/a**

Moving Party's position: **n/a**

Approx. Bal of claim: **\$2,347,912.00** Pre-Petition Default: **n/a**  
As of (date): **2/17/10** No. of Months: **n/a**  
Amt. Payment: **n/a** Post-Petition Default: **n/a**  
Notice of Default (date): **n/a** No. of Months: **n/a**  
Notice of Trustee's Sale: **n/a** Advances Senior Liens: **n/a**

Specify name and status of other liens and encumbrances, if known:

Position	Amount	No. Payment	Defaults
1st Trust Deed:	\$		
2nd Trust Deed:	\$		
	\$		

(D) Other pertinent information: **This Motion concerns an action initiated by Movant against Debtor, evidenced by the Complaint ("Complaint"), entitled: CV Anthony II, LLC v. Heaton et.al. filed in the Marin County Superior Court, Case No. CIV 095267 ("State Court Action"). Movant seeks relief from stay to finalize its rights against Debtor in the State Court Action and then to return to this Court to have any such judgment entered as a non-dischargeable judgment and claim in these proceedings.**

Dated: March 5, 2010

/s/ Spencer P. Scheer  
#107750

ATTORNEY FOR CV ANTHONY II, LLC, A CALIFORNIA  
LIMITED LIABILITY COMPANY, ITS ASSIGNEES AND/OR  
SUCCESSORS